

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for AUGUST 6, 2003 PLANNING COMMISSION MEETING

P.A.S.: Waiver #03008

PROPOSAL: Waive right-of-way, water mains and depth to width ratio associated with Braun Addition, Administrative Final Plat #03046.

LOCATION: Stockwell St. & South Folsom St.

LAND AREA: 2.39 acres

CONCLUSION: The purpose of the plat is to adjust lot lines between two existing lots. Waiving the requirement to water mains until such time as this area develops is acceptable; provided the owner sign a subdivision agreement that includes provisions for the improvement. The proposed lot could be redesigned to meet the depth to width ratio.

The existing house and garage are non standard uses because they do not meet the front yard setback for R-3. Due to the unusual circumstances of the existing garage, waiving the requirement to right-of-way is acceptable, provided the owner sign a subdivision agreement that includes provisions for dedicating right-of-way when W. Stockwell St. is improved.

RECOMMENDATION:	Waiver to water mains	Conditional Approval
	Waiver to right-of-way	Conditional Approval
	Waiver to depth to width ratio	Denial

GENERAL INFORMATION:

LEGAL DESCRIPTION: A part of Lots 9 &10 Burnhams Subdivision located in the NE 1/4 of the SW 1/4 of Section 3 Township 9 North Range 6 East of the 6th P.M., Lancaster County, Nebraska.

EXISTING ZONING: R-3, Residential

EXISTING LAND USE: Single family residential

SURROUNDING LAND USE AND ZONING:

North:	R-3-Residential	Single family residential
South:	P-Public	Water Tower and Rural fire station

East: R-3- Residential Single family residential
West: R-3- Residential Single family residential

HISTORY:

May 13, 2003 Administrative final plat #03046 was submitted to the Planning Department for review.

This area changed zoning from A-1, Single Family Dwelling District to R-3 Residential District in the 1979 zoning update.

UTILITIES: The area is served by city sanitary sewer and private water wells.

TRAFFIC ANALYSIS: Stockwell St. is a rural gravel street.
S. Folsom St. is a paved rural cross section street. The 2025 Comprehensive Plan designates S. Folsom St. as a minor arterial.

ANALYSIS:

1. This request is to waive water mains, right-of-way(ROW) and depth to width ratio associated with an administrative final plat. (Sec. 26.27.030, 26.23.040 and 26.23.140).
2. This application is in association with Braun Addition Administrative Final Plat #03046.
3. The area has two existing houses. Each house is served by city sanitary sewer and a private water well.
4. The subject property is located within the proposed Yankee Hill annexation area. This area is tentatively scheduled to be annexed by the end of this year.
5. The existing garage and house are nonstandard because they do not meet the current front yard setback for the R-3 district. When there is a corner lot there shall be a required front yard on each street side. The front yard setback for R-3 is 20'.
5. The request to waive the ROW width is associated with Braun Addition plat. The Land Subdivision Ordinance requires that streets meet minimum ROW width. W. Stockwell St. is required to have 60' total ROW. The existing ROW from the centerline of W. Stockwell St. currently varies from 25' to 27.5' to 30'. There is an existing garage that is located one foot inside the property line. With the additional ROW, the garage would be 1.5' inside the ROW. The applicant has stated that the

garage is attached to a foundation and was built at the same time as the house, approximately 1920. The location, construction and age of the garage places an undue burden on the property owner. The garage could remain, if the applicant signs a subdivision agreement tied to the plat that states that at the time West Stockwell St. is improved the owner will dedicate the required additional right-of-way at no cost to the City.

6. The applicant has also requested a waiver to Section 26.27.030 to have a water distribution system constructed in conformance with the water main design standards of the city. Both properties are served by private water wells. Although this area is scheduled to be annexed in the near future, there is no time line as to when a water main will be built in S. Folsom St. Public Works and Utilities Department is agreeable to this waiver with the stipulation that if either lot subdivides in the future the lots must connect to city water.
7. Section 26.23.140 of the Land Subdivision Ordinance requires lots to have a maximum depth of three times its width. The applicant states that his intention is to make both properties of equal length and parallel to one another. Currently the lot for 3921 S. Folsom St. is 93' x 110' with the other lot having the remainder of the property (see attached subdivision permit). The proposed lots could be reconfigured to meet the depth to width ratio while still making a larger lot for 3921 S. Folsom St. This could be accomplished by reducing the length or increasing the width of the southern lot.

Prepared by:

Tom Cajka
Planner

DATE: July 28, 2003

APPLICANT: Brent Braun
3921 S. Folsom
Lincoln, NE 68522

OWNER: same as applicant

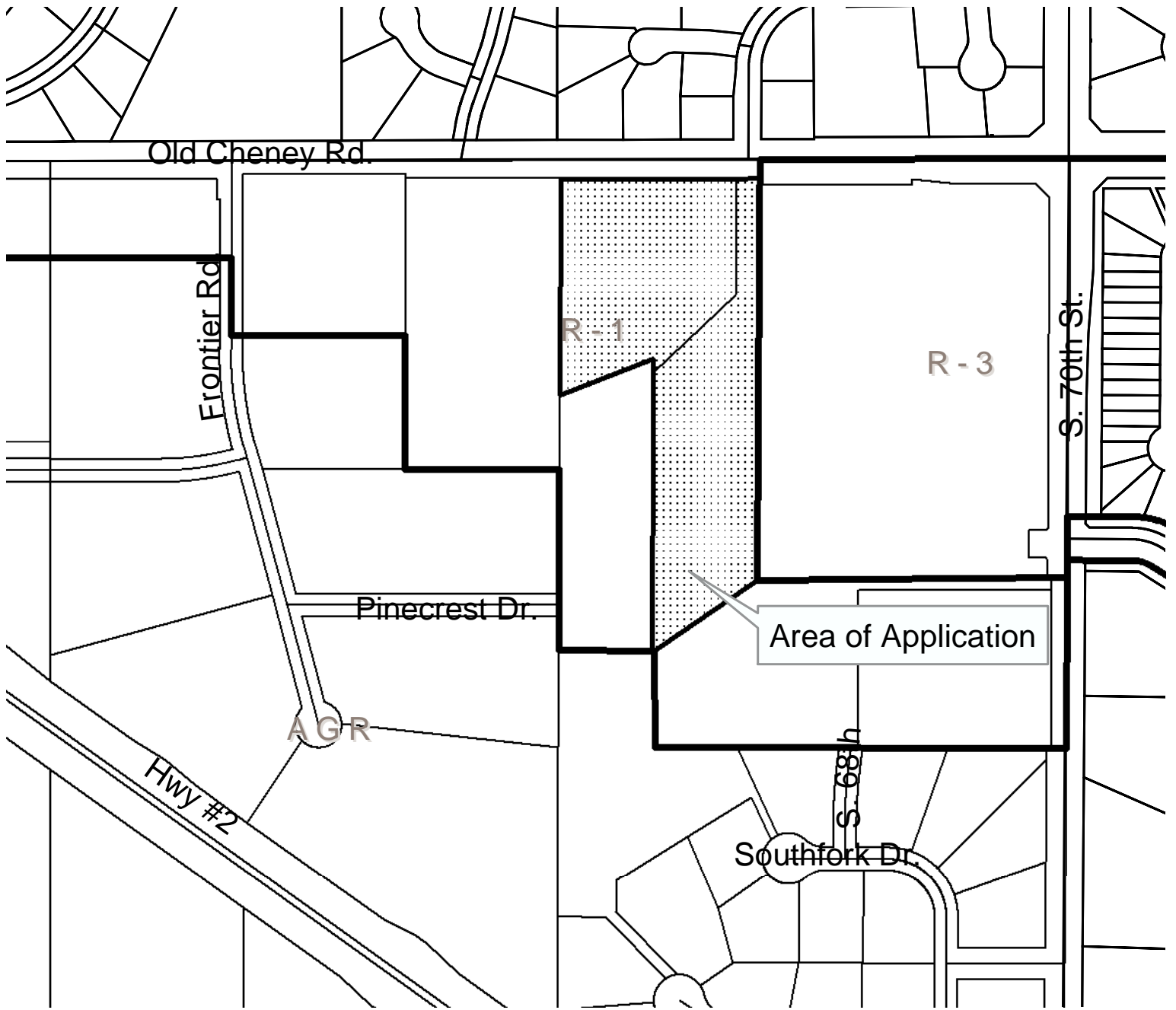
CONTACT: same as applicant

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Waiver #03009
S. 68th & Old Cheney Rd.



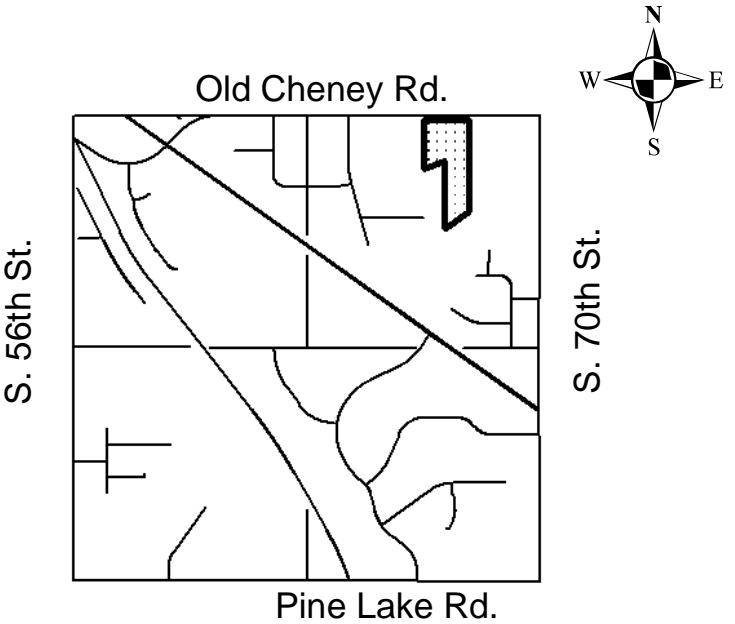
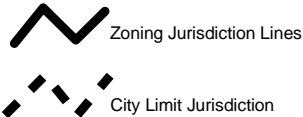


Waiver #03009 **S. 68th & Old Cheney Rd.**

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
 Sec. 16 T9N R7E



Official Survey Record

Phone (402)
Fax (402) 43

ALLIED SURVEYING AND MAPPING, INC.

6120 South 58th Street - Suite "A" - Lincoln, Nebraska 68516

LANCASTER County, Nebraska

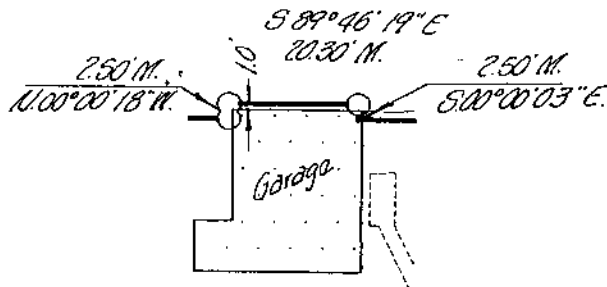
a part of Lots 9 & 10 Burnham's Subdivision located in the Northeast Quarter of the Southwest Quarter of Section 3 T. 9 N., R. 6 E of the 6th

31862

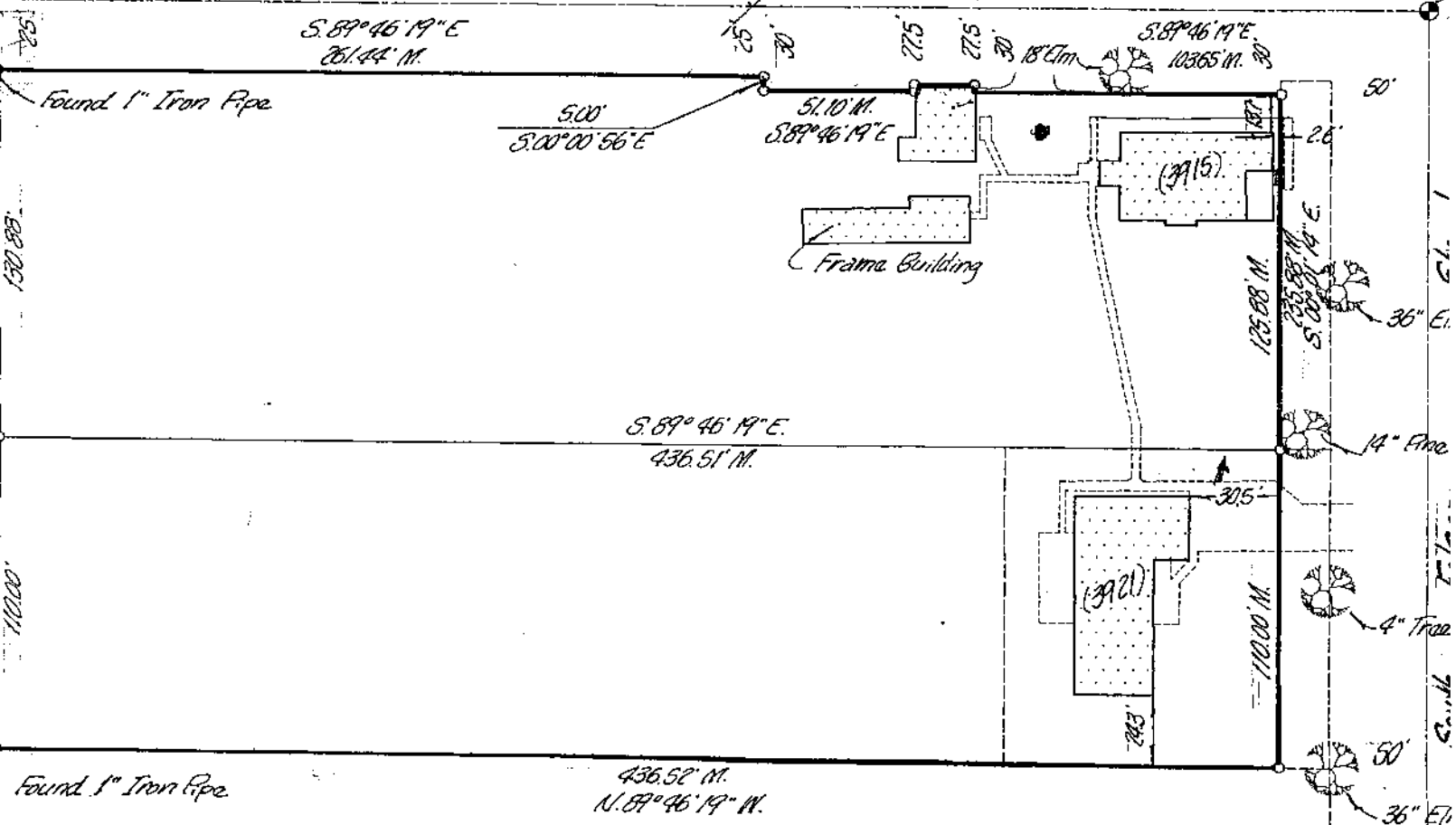
Sheet 1 of

April

Detail:



West Stockwell Street



FEE \$ 10.⁰⁰ (FIVE one dollar per parcel)

NO. 1617

SW 1/4, SEC. 3 T. 9 N., R. 6 E.

APPLICATION FOR SUBDIVISION PERMIT

TO THE LINCOLN CITY—LANCASTER COUNTY PLANNING DEPARTMENT

The undersigned hereby applies for a permit to subdivide the following described parcel of land:

LEGAL DESCRIPTION OF PROPERTY SEE ATTACHED EXHIBIT 'A'

in Lancaster County, Nebraska

DESCRIPTION OF PARCELS CREATED:

DESCRIPTION KEY: Parcel numbers are not to be used for legal descriptions.

PARCEL 1 SEE ATTACHED EXHIBIT 'A'

PARCEL 2 SEE ATTACHED EXHIBIT 'A'

PARCEL 3

PARCEL 4

APPROVED THIS 12 DAY OF SEPT 1975

1. CITY OF LINCOLN, AND ITS CITY COUNCIL

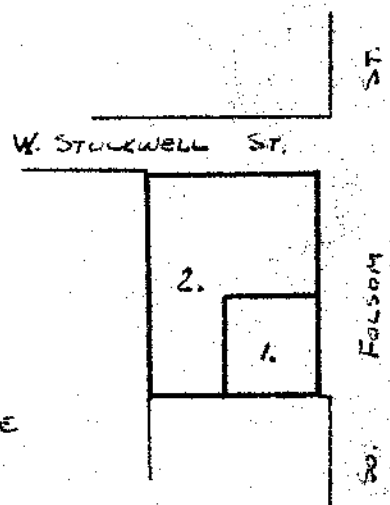
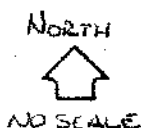
D.E. BROGDEN BY Walter J. Muel
PLANNING DIRECTOR

—OR—

2. LANCASTER COUNTY, AND
ITS COUNTY BOARD

CHAIRMAN, COUNTY BOARD

COUNTY SURVEYOR



I HEREBY CERTIFY THAT THE ABOVE
STATEMENTS ARE CORRECT

Kyman M. Gask

Walter J. Muel
OWNER

EXHIBIT 'A'

Legal Description of Property:

The North 241 feet of Lot 10, Burnham Subdivision in the SW 1/4 of Section 3, T9N, R6E of the 6th P.M., Lancaster County, Nebraska.

Description of Parcels Created:

Parcel 1:

The West 93 feet of the East 110 feet of the South 110 feet of the North 241 feet of Lot 10, Burnham Subdivision in the SW 1/4 of Section 3, T9N, R6E of the 6th P.M., Lancaster County, Nebraska.

Parcel 2:

The North 241 feet of Lot 10, except the East 17 feet thereof, and except the South 110 feet of the West 93 feet of the East 110 feet thereof, and except the North 5 feet of the West 51.1 feet thereof and except the North 5 feet of the West 103.6 feet of the East 120.6 feet thereof, in Burnham Subdivision in the SW 1/4 of Section 3, T9N, R6E of the 6th P.M., Lancaster County, Nebraska.

7-16-02

Tom:

In response to your call, concerning consideration of my request for waivers
1. the first request of the 50' rightway of Stockwell St.

All property involved would be okay except for the fact, there is a garage located on the property that is a foot and a half

inside of the 50' rightway.

The garage is attached to a foundation, and was built at the same time as the present house that is located there.

2. Request concerning the city water coming to our area sometime in the future. Both properties at the present time are

supplied by water through
each having its own well
supply.

2. Request concerning the
length of the property at

3921 Johnson being more
than three times its
width.

My intention is to make
both properties of equal
length and being parallel

to one another.

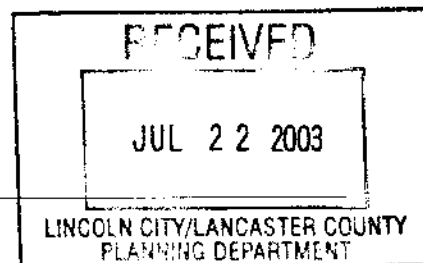
I have no intention
of subdividing these properties
now or any time in
the future.

We want to keep them
as two units.

If you have other questions
please give me a call.

Thank you again for all of
your help. I am

M e m o r a n d u m



To: Tom Cajka, Planning Dept
From: 33 Bruce Briney, Public Works and Utilities
Subject: Administrative Final Plat #03046, Braun Addition
Date: July 21, 2003
cc: Nicole Fleck-Tooze
Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the application for Administrative Final Plat #03046 for Braun Addition located at West Stockwell Street and South Folsom Street. Public Works has the following comment:

- There is currently no public water main available to serve the lots in Braun Addition. The existing lots are served by private water mains. Public Works agrees to waive the requirement that the lots be served by a public water main until such time as the lots are further subdivided. At the time the lots are subdivided, they will be required to connect to City water service.

M e m o r a n d u m

[REDACTED]

To: Tom Cajka, Planning Dept

From: Bruce Briney, Public Works and Utilities

Subject: Administrative Final Plat #03046, Braun Addition
Waiver of the Required Right-of-Way

Date: July 29, 2003

cc: Nicole Fleck-Tooze
Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the Application for Administrative Final Plat #03046 for Braun Addition located at West Stockwell Street and South Folsom Street. Public Works has the following comment:

- Due to the intrusion into the required right-of-way of West Stockwell Street of an existing garage which cannot be moved, Public Works agrees to waive the right-of-way requirements of West Stockwell Street until such time as the lots are further subdivided. At the time the lots are subdivided the minimum right-of-way requirements for a local street will be required to be dedicated and West Stockwell Street will be required to be paved.

Date of Memo: 7-29-03

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**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Tom Cajka

DATE: July 21, 2003

DEPARTMENT: Planning

FROM: Chris Schroeder
Doug Smith

ATTENTION:

DEPARTMENT: Health

CARBONS TO: EH File
EH Administration

SUBJECT: Waiver 3008
Braun Addition

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the waiver application and does not object to the proposed changes.